

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

7/6/2004 4:30 pm

WALTER A.Y.H. CHINN, CLERK

CASE NUMBER: CR 03-00225DAE  
CASE NAME: USA v. Douglas Edwin Rychener  
ATTYS FOR PLA: Wes Porter  
ATTYS FOR DEFT: Pamela Byrne  
USPO: Pete Yoshihara

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JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 7/6/2004

TIME: 2:15pm-3:00pm

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COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant Douglas Edwin Rychener. Defendant's Motion for Downward Departure.

Defendant Douglas Edwin Rychener present in custody.

The Memorandum Plea Agreement is accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Douglas Edwin Rychener.

Defendant's Motion for Downward Departure-DENIED.

### SENTENCE:

Imprisonment: 23 MONTHS, to be served concurrently with any State term.

Supervised Release: 3 YEARS, to be served concurrently with any State term.

### CONDITIONS:

Defendant shall observe the standard conditions of supervised release.

- ▶ Defendant shall not commit any Federal, State, or local crimes.

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- ▶ Defendant shall not possess illegal controlled substances.
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two drug testing thereafter, as directed by the Probation Office.

Defendant shall participate in a substance abuse program, which may include drug testing at the discretion and direction of the Probation Office.

- ▶ That the defendant is prohibited from possessing a firearm as defined in 18 U.S.C. § 921.
- ▶ That the defendant is prohibited from possessing any illegal or dangerous weapons.

That the defendant provide the Probation Office access to any requested financial information.

That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

That the defendant shall be released to the State of Washington upon his discharge from imprisonment and reside in an area subject to the approval of the U.S. Probation Office.

Special Assessment: \$100.00.

JUDICIAL RECOMMENDATIONS: FDC Honolulu until term of imprisonment is served. Mental health treatment. Educational and Vocational training.

Defendant advised of his right to appeal.

Mittimus forthwith.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager